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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/719,551
		Filing Date	November 20, 2003
		First Named Inventor	Darryl P. Klein
		Group Art Unit	1754
		Examiner Name	
Total Number of Pages in This Submission	6	Attorney Docket Number	W-9652-01

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Form 1449 and a Return Post Card
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

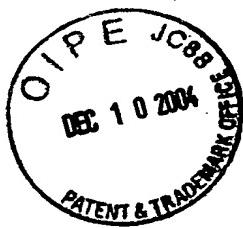
Firm or Individual name	Robert A. Maggio
Signature	
Date	December 8, 2004

### CERTIFICATE OF TRANSMISSION/MAILING

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Signature	
Typed or printed name	Linda L. Burton
Date	December 8, 2004

Toolawnator Inc



Attorney Docket No. W-9652-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Before the Examiner:  
Darryl P. Klein )  
 )  
Serial No.: 10/719,551 ) Group Art Unit: 1754  
 )  
Filed: November 20, 2003 )  
 )  
For: Hydroconversion Catalysts and )  
Methods of Making and Using Same )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

Pursuant to 37 CFR § 1.8, I hereby certify that I have a reasonable basis to expect that this correspondence will be deposited with the United States Postal Service on or before the date indicated as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 08, 2004  
Date

  
Signature

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**  
**LETTER/PETITION FOR CONSIDERATION UNDER 37 CFR §1.97**

1. Enclosed is:
  - a.  Information Disclosure Statement Form No. PTO-1449 and copies of references where indicated.
  - b.  Copy of the European Search Report dated \_\_\_\_\_ on European Application No. \_\_\_\_\_ which is:
    - The European counterpart of the above-identified U.S. application or one of its Parental ancestors, i.e. USSN \_\_\_\_\_, filed \_\_\_\_\_
    - The European counterpart of related USSN \_\_\_\_\_, filed \_\_\_\_\_

- c.  Copy of the PCT Search Report dated \_\_\_\_\_ on PCT Application No. \_\_\_\_\_ which is:
- The PCT counterpart of the above-identified U.S. application or one of its Parental ancestors, i.e. USSN \_\_\_\_\_, filed \_\_\_\_\_
- The PCT counterpart of related USSN \_\_\_\_\_, filed \_\_\_\_\_
- d.  Copy of the \_\_\_\_\_ Search Report dated \_\_\_\_\_ on the corresponding \_\_\_\_\_ counterpart of the above-identified U.S. application.  
(country)
- e.  Explanatory comments attached hereto as Appendix 1.
- f.  COPIES (check at least one box)
 

A legible copy of (i) each  US\*  foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed. (\*Copies Of US Patents do not have to be provided for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003).

Some or all of the documents listed on the PTO 1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

g.  Concise Explanation Of Relevance  
(check at least one box)
 

Documents Not In The English Language
 

A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as attached.

Documents In The English Language
 

All of the patents, publications or other information are in the English language. No statement of relevancy is required.

English Language Search Report
 

An English language version of the search report or action which indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

Other
 

The following additional information is provided for the Examiner's consideration.

- II.  The Examiner is requested to consider the references cited in the attached Information Disclosure Statement without a fee or certification because it was filed:
- within three months of the filing date of this national application, other than a continued prosecution application under 1.53(d);
- within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- before the mailing date of a first Office Action on the merits; or

- III.  The Examiner is requested to consider the attached Information Disclosure Statement pursuant to 37 CFR §1.97(c) in that it is being filed after the periods specified in Paragraph II above, but before the first to occur of the mailing date of either:
- Final Action under 37 CFR § 1.113; or
- Notice of Allowance under 37 CFR § 1.131; or
- An action that otherwise closes prosecution in the application;
- and in support of such request the undersigned either:
- has made the certification hereinbelow at Paragraph IVB pursuant to 37 CFR § 1.97(e); or
- is paying a petition fee under 37 CFR § 1.17(p) in the amount of \_\_\_\_\_ (Fee Code 1806)
- IV.A.  The Examiner is requested to consider the attached Information Disclosure Statement pursuant to 37 CFR §1.97(d) in that it is being filed before the payment of the Base Issue Fee and after the mailing date of any:
- (1) Final Action under 37 CFR § 1.113;
- (2) Notice of Allowance under 37 CFR § 1.131; or
- (3) An action that otherwise closes prosecution in the application.
- and in support of said request the undersigned:
- (i) has made the certification hereinbelow at Paragraph IVB pursuant to 37 CFR § 1.97(e); and
- (ii) is paying a petition fee under 37 CFR § 1.17(P) in the amount of \$180.00.
- IV.B. Certification Under 37 CFR § 1.97(e)  
[applicable to only III or IV above]
- The undersigned hereby certifies that for each item of information contained in the Information Disclosure Statement it was either:
- (1) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- (2) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned upon making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

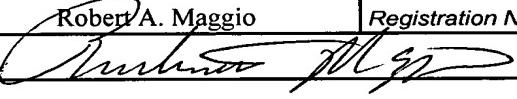
- V.  The Examiner is requested to make the art of record in the following parental U.S. applications relied upon for an earlier filing date under 35 USC § 120, of record in the present above-identi filed application.

U. S. Serial No.	Filing Date

VI. Fee Payment

- Petition fee under 37 CFR §1.17(p) to consider Information Disclosure Statement under 37 CFR § 1.97(c) and (d) is \_\_\_\_\_ (Fee Code 1806)
- Charge \_\_\_\_\_ to Deposit Account No. \_\_\_\_\_
- The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.16 and §1.17 which may be required by this paper, or credit any overpayment, to Deposit Account No. \_\_\_\_\_  
A duplicate copy of this Form is enclosed. \_\_\_\_\_
- A check in the amount of the fee is enclosed.

No fee due.

CORRESPONDENCE ADDRESS					
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Name (Print / Type)	Robert A. Maggio		Registration No. (Attorney/Agent)	28032	
Signature			Date	December 8, 2004	

REV.1/1/2004

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
*(Use several sheets if necessary)*

ATTY. DOCKET NO.

W9652-01

Page \_\_\_\_ of \_\_\_\_

SERIAL NO

10/719,551

APPLICANT  
Darryl P. Klein

FILING DATE

11/20/2003

GROUP

1754

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	Copy Submitted
	3287280	11/22/1966	Colgan, et al.	252	435	06/14/1963	<input type="checkbox"/>
	3840472	10/8/1974	Colgan, et al.	252	435	10/17/1972	<input type="checkbox"/>
	4255282	3/10/1981	Simpson	252	435	05/11/1979	<input type="checkbox"/>
	4500424	2/19/1985	Simpson, et al.	208	216	04/07/1983	<input type="checkbox"/>
	4746419	5/24/1988	Peck, et al.	208	213	07/09/1987	<input type="checkbox"/>
	4818743	4/4/1989	Simpson, et al.	502	211	12/01/1987	<input type="checkbox"/>
	5192734	3/9/1993	Creighton, et al	502	314	10/25/1991	<input type="checkbox"/>
	5397956	3/14/1995	Araki, et al.	313	231.37	01/13/1993	<input type="checkbox"/>
	5498586	3/12/1996	Dai, et al.	502	313	11/03/1994	<input type="checkbox"/>
	5545602	8/13/1996	Nelson, et al.	502	314	04/20/1995	<input type="checkbox"/>
	6566296	5/20/2003	Plantenga, et al.	502	162	07/12/2001	<input type="checkbox"/>

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.